THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.26140 OF 2005

Dated: 07-12-2005

Between

Vadee Chowdamma, W/o. Setturu Veeranna, Occ: Cultivation,
R/o. Kambadur Village and Mandal, Anantapur District.

...PETITIONER

AND

Vadde Sudugu Venkatappa, S/o. Hanumanthappa, Occ: Cultivation, R/o. Kambadur Village and Mandal, Anantapur District and others.

...RESPONDENTS

ORDER:

Petitioner seeks a Writ of Mandamus to declare the action of the fourth respondent in not suspending the proceedings in D.Dis.No.1177/01 (B) dated 03.11.2004 of the second respondent pending revision petition filed by her before the fourth respondent as illegal and arbitrary.

Learned counsel for the petitioner submits that the land admeasuring Ac.3.35 cents in S.No.583-3 of Kambadur Village and Mandal, Anantapur District, was assigned in favour of one Vadde Anjamma, the mother of the petitioner. The said Anjamma has got two sons and three daughters and the petitioner is one among her daughters. The mother of the petitioner made an application to the Mandal Revenue Officer – third respondent relinquishing her rights over the assigned land in favour of the Government on the condition that the same may be assigned in favour of the petitioner. The said land was reassigned to the petitioner on 17.02.2000. Against that order the first respondent filed an appeal before

the Revenue Divisional Officer – second respondent, who while allowing the appeal remanded the matter to the third respondent directing him to conduct detailed enquiry with regard to the transfer of the said assigned land in favour of the petitioner for the purpose of alienating the same to the legal heirs.

Against the said order, the petitioner filed a revision before the Joint Collector – fourth respondent, who admitted the revision and called for the records, which is evident by order dated 06.12.2004.

It is submitted that even before the disposal of the revision the respondents are making an attempt to dispossess the petitioner.

Without expressing any opinion on the merits of the case and as per the order of the second respondent the assigned land has to be transferred in favour of the legal heirs as per the relevant rules for resumption by the Government, the writ petition is disposed of directing the Joint Collector to consider and dispose of the revision as expeditiously as possible and till then the petitioner shall not be dispossessed.

The writ petition is accordingly disposed of.

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V. ESWARAIAH, J

December 7, 2005

Note: Furnish C.C. of the order by 09.12.2005

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DSK